

Appin No. 09/722,141
Amdt. Dated February 15, 2007
Response to Final Office Action of January 29, 2007

5

REMARKS/ARGUMENTS

In response to the Examiner's final Office Action of January 29, 2007 the Applicant respectfully submits the accompanying Amendment to the claims and the following Remarks.

Regarding Amendment

In the Amendment:

independent claim 1 is amended to omit the recitation "containing" and to clearly specify in place thereof that each of the recited elements is positioned in the body of the video player and that the coded data printed on the substrate is sensed by the sensor by positioning the video player body relative to the substrate. Support for this amendment can be found, for example, at page 7, line 9-page 8, line 19, page 10, line 28-page 11, line 6 and page 13, lines 14-31 of the present specification;

independent claim 9 is amended to omit the recitation "contained in" and to clearly specify in place thereof that the selection device is located in the body of the video player in such a way that the selecting of the selection data of the paper-like substrate is performed by positioning the video player body relative to the substrate; and

dependent claims 2-8 and 11-19 are unchanged.

It is respectfully submitted that the Amendment does not add any new matter to the present application nor any new issues to the prosecution of the present application.

Regarding 35 USC 102(b) and 103(a) Rejections

It is respectfully submitted that the subject matter of amended independent claims 1 and 9, and claims 2-8 and 11-19 dependent therefrom, is not disclosed, or suggested, by previously cited Wellner either taken alone or in view of the Examiner's Official Notice, for at least the following reasons.

In the Response to Arguments section of the current final Office Action, the Examiner asserts that the terms "containing" and "contained in" presently recited in pending independent claims 1 and 9 would be understood by one of ordinary skill in the art as encompassing the connected arrangement of the hand-held scanners/pens 11 and the user interface unit 15 of Wellner, such that "the claimed feature ... is present in Wellner".

Whilst the Applicant respectfully disagrees and notes the standard definition of "contained" contradicts the Examiner's broad interpretation (see <http://209.161.33.50/dictionary/contain>), the Applicant has further amended independent claims 1 and 9 as discussed above to make it abundantly clear that the sensor/selection device is an integral part of the video player since it is positioned or located within the body of the video player.

Furthermore, as discussed above, amended independent claims 1 and 9 further specify that it is the relative positioning of the video player body and the substrate which allows the sensing/selection of the data of the substrate, not an independent positioning of the sensing/selection device as is necessary in the arrangement taught by Wellner.

Appln No. 09/722,141
Amdt. Dated February 15, 2007
Response to Final Office Action of January 29, 2007

6

Thus, it is respectfully submitted that the subject matter of amended independent claims 1 and 9, and claims 2-8 and 11-19 dependent therefrom, is not taught or suggested by Wellner.

It is respectfully submitted that all of the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

Applicants:



PAUL LAPSTUN

KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia
Email: kia.silverbrook@silverbrookresearch.com
Telephone: +612 9818 6633
Facsimile: +61 2 9555 7762